

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FELIX VALADEZ, LUIS CARRIZOZA, §
ABIGAIL REYES, AMADA MAN, and §
TEXAS ENTERTAINMENT §
ASSOCIATION, INC. §
§

Plaintiffs §
§

v. §

CIVIL ACTION NO. 1:21-CV-519

KEN PAXTON, in his official capacity as §
Attorney General of the State of Texas, and §
ED SERNA, in his official capacity as §
Executive Director of the Texas Workforce §
Commission, §
§

Defendants. §

DEFENDANTS' UNOPPOSED MOTION TO SET BRIEFING SCHEDULE

On June 14, 2021, Plaintiffs filed the complaint in the above-captioned challenging the human trafficking preventive measures recently enacted by the unanimous Texas Legislature in Senate Bill 315. Dkt. 1. Four days later, Plaintiffs filed their motion for preliminary injunction. Dkt. 5. On June 24, 2021, the Court held a status conference in this matter and set Plaintiffs' motion for hearing on July 16, 2021. Dkt. 10, 11. On July 8, 2021, Defendants filed their motion to dismiss pursuant to Rule 12(b)(6), Dkt. 13, and Plaintiffs also filed an amended motion for preliminary injunction and a motion to certify two Plaintiff classes and a Defendant class, Dkt. 15, 16.

Under the Court's local rules, Defendants' response to the motion to certify class would be due 7 days after its filing, on July 15, 2021. Defendants will require discovery in order to adequately respond to Plaintiffs' motion, which cannot be completed before the default response deadline. More importantly, the parties can be most helpful to the Court if they are permitted to prepare for the July 16, 2021 hearing without the additional burden of needing to litigate the class certification issue.

Defendants respectfully request that the Court continue Defendants' deadline to respond to Plaintiffs' motion for class certification to a later date. Defendants propose that the parties discuss with the Court an appropriate briefing and discovery schedule for the class certification issues at the July 16, 2021 hearing. Plaintiffs are unopposed to this request and are willing to discuss these scheduling matters at the hearing.

Accordingly, for the foregoing reasons, Defendants request that the Court continue Defendants' deadline to respond to Plaintiffs motion for class certification until a date that will be set by the Court at or after the July 16, 2021 hearing in this matter.

Respectfully submitted,

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Attorney General of Texas

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/s/ Ryan G. Kercher
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Counsel for Defendants

CERTIFICATE OF CONFERENCE

I hereby certify that I have conferred with opposing counsel and that Plaintiffs are unopposed to the relief requested herein.

/s/ Ryan G. Kercher

RYAN G. KERCHER

CERTIFICATE OF SERVICE

I hereby certify that on July 14, 2021 a true and correct copy of the foregoing document was served via the Court's CM/ECF system to all counsel of record.

/s/ Ryan G. Kercher

RYAN G. KERCHER